

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROBINSON BROG LEINWAND GREENE  
GENOVESE & GLUCK P.C.,

Plaintiff,

v.

JOHN M. O'QUINN & ASSOCIATES,  
L.L.P. d/b/a THE O'QUINN LAW FIRM,

Defendant.

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Civil Action No. 1:11-cv-02730 (LLS)

**DEFENDANT JOHN M. O'QUINN & ASSOCIATES, PLLC'S  
NOTICE OF MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM PURSUANT  
TO FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)**

PLEASE TAKE NOTICE that pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and upon the accompanying memorandum of law, and the Affidavits of Christian A. Steed and Evan Mandel, Defendant John M. O'Quinn & Associates, PLLC d/b/a The O'Quinn Law Firm ("O'Quinn Law Firm") by and through its undersigned counsel, respectfully requests that all claims and causes of action in the above styled cause be dismissed with prejudice for failure to state a claim. The O'Quinn Law Firm also requests any other, further, or alternative relief to which it may be legally or equitably entitled.

DATED: June 28, 2011

Respectfully submitted,

MANDEL BHANDARI LLP

By: /s/ Evan Mandel

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument has been served on all counsel of record in accordance with the Federal Rules of Civil Procedure, on this 28th day of June, 2011, as follows:

Mr. Alan M. Pollack  
ROBINSON BROG LEINWAND  
GREENE GENOVESE & GLUCK P.C.  
875 Third Avenue  
New York, New York 10022

**Via ECF**

/s/ Evan Mandel  
Evan Mandel